Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application. Applicant has submitted a new complete claim set showing marked up claims with insertions indicated by underlining and deletions indicated by strikeouts and/or double bracketing.

Listing of Claims:

Claim 1 (original):   A custom computer acquisition method comprising:

a) causing the contents of a source computer to be surveyed;

b) from said surveying, gaining knowledge of the components of said source computer;

c) acquiring knowledge of a plurality of upgrade products which at least contain an upgrade over one or more components of said source computer;

d) receiving an order for a new target computer from a customer having dominion over said source computer;

e) recommending to said customer, at least one upgrade product to be installed on said target computer based upon knowledge of said source computer components and knowledge of said upgrade products;

f) enabling said customer to choose at least one upgrade product to be installed on said target computer;

g) migrating to said target computer, the source computer components chosen by the customer to be migrated;

h) installing the chosen upgrade products on said target computer;

i) processing said order; and

Type of Response: Response
Application Number: 10/731,571
Attorney Docket Number: 317071.01
Filing Date: December 9, 2003

2/10

j) following elements h) and i), causing a custom target computer to be delivered to said customer or said customer's agent.

Claim 2 (original):   The method of Claim 1 wherein said source computer components comprise a user state.

Claim 3 (original):   The method of Claim 1 further comprising:

downloading a software tool from a remote location onto said source computer; and

carrying out elements a) through i) with the aid of said software tool.

Claim 4 (original):   The method of Claim 3 wherein said software tool is an instrumentality under the dominion of a computer software and hardware vendor.

Claim 5 (original):   The method of Claim 1 further comprising:

loading a software tool onto said source computer; and

carrying out elements a) through i) with the aid of said software tool;

wherein said software tool is an instrumentality under the dominion of a computer software and hardware vendor, and wherein said upgrade products are directly available from said vendor.

Claim 6 (original):   The method of Claim 1 further comprising:

loading a software tool onto said source computer; and

carrying out elements a) through i) with the aid of said software tool;

wherein said software tool is an instrumentality under the dominion of a computer software and hardware vendor, and wherein said upgrade products are available via an Internet link to an instrumentality of a separate entity from said vendor.

Claim 7 (original):   The method of Claim 6 further comprising:

said computer software and hardware vendor receives remuneration from said separate entity when an upgrade product is received from said instrumentality of said separate entity.

Claim 8 (original):   The method of Claim 1 further comprising:

loading a software tool onto said source computer from a local storage medium comprising said software tool and product upgrades; and

carrying out elements a) through i) with the aid of said software tool.

Claim 9 (original):   The method of Claim 1 sans element j), wherein elements c) and d) are performed first, follow by causing a target computer to be delivered to said customer or said customer's agent, wherein said target computer comprises loaded thereon, a software tool and product upgrades, and said method further comprising carrying out elements a), b), e), f), g), h), and i) with the aid of said software tool.

Claim 10 (original):   The method of Claim 1 further comprising:

activating at least one installed upgrade product via a telecommunication link.

Claim 11 (original):   The method of Claim 1 wherein said upgrade products comprise software.

Type of Response: Response
Application Number: 10/731,571
Attorney Docket Number: 317071.01
Filing Date: December 9, 2003

4/10

Claim 12 (original): The method of Claim 1 wherein said upgrade products comprise software.

Claim 13 (original): A computer replacement method comprising:

    a) providing a source computer;

    b) providing a target computer;

    c) surveying the source computer assets to establish a user state of said source computer;

    d) providing a user with at least one enhancement to at least one component in said user state not available on said source computer;

    e) in response to user input, migrating said user state to said target computer; and

    f) in response to user input, contemporaneously installing at least one enhancement on said target computer.

Claim 14 (original): The method of Claim 13 further comprising:

    implementing elements c) through f) via a remote, online link to an interactive software tool;

    wherein said target computer is remote vis-à-vis said source computer, and said target computer is coupled to said interactive software tool.

Claim 15 (original): The method of Claim 13 further comprising:

    implementing elements c) through f) via a locally installed interactive software tool.

Claim 16 (original): The method of Claim 13 further comprising:

Type of Response: Response
Application Number: 10/731,571
Attorney Docket Number: 317071.01
Filing Date: December 9, 2003

5/10

implementing elements c) through f) via an interactive software tool pre-installed on a delivered target computer.

Claim 17 (original):   The method of Claim 13, wherein said enhancements comprise newer operating system versions.

Claim 18 (original):   The method of Claim 13, wherein said enhancements comprise newer versions of application software.

Claim 19 (original):   The method of Claim 13, wherein said enhancements comprise newer versions of hardware.

Claim 20 (original):   The method of Claim 13, wherein said enhancements comprise newer versions of peripheral devices.

Claim 21 (original):   The method of Claim 13 further comprising:

    providing a database of available enhancements; and

    presenting at least one enhancement to said user which the user may choose for installation on said target computer.

Claim 22 (original):   The method of Claim 13, further comprising:

    analyzing the components of said user state;

    predicting a possible interest by said user in at least one enhancement; and

    presenting at least one enhancement predicted to be of possible interest to said user which the user may choose for installation on said target computer.

Claim 23 (withdrawn): A marketing method comprising:

a) causing the contents of a customer's computer to be surveyed;

b) from said surveying, gaining knowledge of the components of said source computer;

c) acquiring knowledge of a plurality of products or services available through a sponsoring merchant; and

d) recommending to said customer for consideration and purchase, at least one product or service in c) based upon the knowledge gained in b).